UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/216,985	12/21/1998	LAURENCE HONARVAR	1330.1010	8897

21171   7590   09/12/2006

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER
CUFF, MICHAEL A

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

SEP 1 2 2006

GROUP 3600

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/216,985
Filing Date: December 21, 1998
Appellant(s): HONARVAR, LAURENCE

Paul I. Kravetz
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/28/06 appealing from the Office action

mailed 5/26/04.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6088686	Walker et al.	7-2000
5560005	Hoover et al.	9-1995

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-11, 22-37 and 48-50 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Walker et al. (6,088,686) in view of Hoover et al.

Walker et al. shows all of the limitations of the claims except for specifying that

the customer and account data are loaded prior to the evaluating.

Walker et al. Shows, figures 1A and 1B, the system and method of the present

invention provide on-line processing of applications in real time (single pass, one time

data input, means for evaluating), thus providing conditional approvals, pending

required verifications. The system has a front-end processing system (blocks 14 and

16) that provides an immediate review of the results of analyzing an applicant's credit

bureau history (blocks 28, 30, 32 and 34) (account data, 30, 32, 34 provide virtual

attributes) and automated credit scoring. The system and method of the present

invention involves the unique processing of a new or existing customer relationship

(blocks 18, 20 and 24, virtual attributes) (customer data) into the credit decision request.

Via on-line real-time integration of the many systems (block 52) involved in the process,

all of the existing customer's accounts (each of customer's accounts, some can be of

the same type) are systematically and automatically reviewed (all customer and account

data loaded without additional data) during the application session to determine the

aggregate balance amount, which gives rise to the best price being offered to the

existing customer 10 (evaluating customer) for the requested credit product. This

feature enables the ability to provide new or existing customers (block 10) with an up-

front conditional approval based on systematic evaluation of credit bureau history, credit

score (virtual attribute), debt burden (virtual attribute), credit policies and the customer's

relationship (virtual attribute) with the financial institution, (separate extracts, different

data sources, plurality of extracts) subject to required verifications.

The Maximum Debt Burden Offer provides applicants requesting credit (revolving

or closed-end) with the maximum allowable line of credit or loan amount, whose

estimated payment for the requested product, in addition to all known debt payments

(applicant provided debt, including rent or mortgage payments, and credit bureau

derived payments) (different accounts with different strategies, inherent in this step is

determining the "strategy" of how each different account relates to the Maximum Debt

Burden. This determining is also a decision tree node.), would not exceed the product

specified parameters (line assignment tables) up to the designated controlling debt

burden table parameter.

Any label for a term is a virtual attribute. For example, credit limit less the

balance is equal to the available credit. In this example, the terms "credit limit",

"balance" and "available credit" are all virtual terms because they are all attributes with

no explicit data value. (See applicant's definition on page 18, lines 11-13 of the

specification.) These attributes do represent a series of non-virtual attributes, which

have explicit values. The examiner has indicated many "virtual attributes" through out

the sighted reference. The "non-virtual attributes" are inherent as the collection of

attributes, which make up a "virtual attribute".

A series of tables in the application processing system (ACAPS 26) contains the

price points for each product that has multiple price points (iterative function, iterative

matrix). The tables also provide the name of the characteristic (such as balance

amount, virtual attribute), the break point(s)(virtual attribute) (such as less than $1500,

greater than or equal to $1500, etc.), and the resulting price(s)(virtual attribute). Other

table values within ACAPS 26 determine whether the automated pricing routines should

be used or not used (first iterative decision tree, iterative for each new account

requested by customer). Assuming the routines are used, ACAPS 26 calls (first

iterative function calls second) upon another bank system (block 52), which aggregates

all of the customer's balances (second iterative matrix function, iterating through a

number of accounts) to obtain the aggregated balance amount to be used in conjunction

with the pricing tables to determine the price to be offered to the applicant 10.

Hoover et al., figure 16, shows a method and system for object-based relational

distributed databases. Each of the remotely located user computers comprises a

heterogeneous data structure, and data is "homogenized" by mapping predetermined

data fields items stored in the heterogeneous user computers to corresponding object

attributes associated with a predetermined instance of an object, where the object is

determined by an object model that relates to all of the heterogeneous user computers connected to the system. The object attributes are stored in an object attribute table in the remote user computers in association with object identifiers. Preferably, the data items associated with the subject are stored in a separate, homogenized object-based remote database physically located at the customer's site (all data loaded prior to use), in association with the object identifier stored in the object attribute table. The object attribute tables are indexed at the remote databases for rapid searching and access by object identifier. (Column 6, lines 1-15)

Accordingly, it is an objective of the present invention to provide a distributed database computer system that overlays a homogeneous data model upon a plurality of possibly remotely located and possibly heterogeneous database systems or structures, so as to facilitate the retrieval and synchronization of information in a global fashion. (Column 6, lines 57-62)

Based on the teaching of Hoover et al., it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Walker et al. system and method to incorporate the Hoover et al. method of data collection for the Walker et al. heterogeneous group of "on-line bank data access system", "global customer information file" and the "front end processing and communications system" prior to evaluation, in order to facilitate the retrieval and synchronization of information in a global fashion.

Claim 1	Claim Map for 09/216,985
loading all customer and account data required for evaluating the customer and each of the accounts; the loaded customer and account data being loaded at a time prior to initiating said evaluating and being sufficient to evaluate the customer and each of the accounts by said evaluating without loading additional customer or account data, the customer and each of the accounts thereby being evaluated in a single pass via the iterative function;	The examiner has re-arranged the limitations of claim 1 to group some similar limitations in the same claim. Applicant's definition of a "single pass" is "A 'single pass' indicates that, in the evaluation of a customer, the required customer and account data is retrieved and loaded once, prior to doing the customer evaluation." See page 10 of applicant's paper 9, dated 9/18/02. This limitation is shown by Hoover, (Column 6, lines 1-15). "Preferably, the data items associated with the subject [claimed customer information would be the subject] are stored in a separate, homogenized object-based remote database physically located at the customer's site [all data loaded prior to use, this "customer" would be the Walker system]". From Hoover, Column 6, lines 57-62. Accordingly, it is an objective of the present invention to provide a distributed database computer system that overlays a homogeneous data model upon a plurality of possibly remotely located and possibly heterogeneous database systems or structures, so as to facilitate the retrieval and synchronization of information in a global fashion. In order for "synchronization" or for use at the same time of the information, all the information had to be loaded prior to the initiation of processing. This is also an explicit motivation for combining information in this manner from many heterogeneous databases such as Walker does.
Continue on next page	

Claim 1	Claim Map for 09/216,985
evaluating the customer and each of the accounts via an iterative function which uses the loaded customer and account data, "iterative function" to be discussed on next page.	From Walker, column 6, lines 4-7. The system has a front-end processing system (blocks 14 and 16) that provides an immediate review of the results of analyzing an applicant's credit bureau history (blocks 28, 30, 32 and 34) (account data, 30, 32, 34 provide virtual attributes) and automated credit scoring. From Walker, column 6, lines 10-15. "This feature enables the ability to provide new or existing customers (block 10) with an up-front conditional approval (based on systematic evaluation of credit bureau history, credit score, debt burden, credit policies and the customer's relationship with the financial institution), subject to required verifications."
Continue on next page	

Claim 1	Claim Map for 09/216,985
wherein said evaluating determines which strategy of a plurality of strategies will be used to evaluate each account via the iterative function based on a type of the account, and evaluates each account for a same product or service via the iterative function with the same strategy and evaluates accounts for different products or services via the iterative function with different strategies, to thereby produce a respective decision for each of the accounts,	From Walker, column 7, lines 58-66. "The Maximum Debt Burden Offer provides applicants requesting credit (revolving or closed-end) with the maximum allowable line of credit or loan amount, whose estimated payment for the requested product, in addition to all known debt payments (applicant provided debt, including rent or mortgage payments, and credit bureau derived payments), would not exceed the product specified parameters (line assignment tables) up to the designated controlling debt burden table parameter such as 45%."
(Examiner interpretation notes) Both the invention of the appellant and the prior art recognized the difference between a mortgage account and a credit card account. That is the claimed "evaluating". The claimed "strategies" are the difference processes of extracting data from different structured accounts. The "iterative function" is merely the repetitive process of extracting data (monthly debt payments in the Walker system) from each account. The "respective decision" is redundant because the "decision" is the chosen strategy in the "wherein said evaluating determines which strategy" step.	The examiner calls attention to page 11 of appellant's "Argument" section, paragraph 3. "More specifically, as recited, for example, in claim 1, and as shown in FIG. 10, an iterative function (see "next iteration" in FIG. 10) is used to evaluate the customer and each of the accounts. In steps 222 and 224, the type of account is taken into consideration. For example, it is determined what kind of product or service the account is for. In FIG. 10, different strategies are used to evaluate credit card accounts and mortgage accounts, respectively. Via the iterative function in FIG. 10, the process loops back so that each account of the customer is evaluated, with accounts for different products or services being evaluated with different strategies."
taking an action in accordance with a result of said evaluating.	an up-front conditional approval

(10) Response to Argument

The examiner has provided a claim map for claim 1 to facilitate review of the claimed elements.

Page 9, appellant discusses invention.

Page 10, appellant asserts that Walker shows the processing of only a single application. This is not relevant because the claim language does not recite anything about an "application".

Appellant asserts that Walker does not use an iterative function. The examiner does not concur. The "iterative function" is merely the repetitive process of extracting data (monthly debt payments in the Walker system) from each account. (See claim map and rejection for more details).

Appellant discusses how a loop in Walker would work. As shown in the rejection and in the claim map, Hoover teaches loading all the data about a subject (customer) into a local homogeneous database. Walker repetitively or iteratively processes each account just like appellant does.

Page 11, appellant cites,

"More specifically, as recited, for example, in claim 1, and as shown in FIG. 10, an iterative function (see "next iteration" in FIG. 10) is used to evaluate the customer and each of the accounts. In steps 222 and 224, the type of account is taken into consideration. For example, it is determined what kind of product or service the account is for. In FIG. 10, different strategies are used to evaluate credit card accounts and mortgage accounts, respectively. Via the iterative function in FIG. 10, the process loops back so that each account of the customer is evaluated, with accounts for different products or services being evaluated with different strategies." Examiner has added the underlining for emphasis.

Appellant then asserts that Walker does not disclose or suggest such features.

The examiner does not concur. Walker's disclosure is very similar and certainly meets

the broadly recited claim language.

From Walker, column 7, lines 58-66.

"The Maximum Debt Burden Offer provides applicants requesting credit (revolving or closed-end) with the maximum allowable line of credit or loan amount, whose estimated payment for the requested product, in addition to all known debt payments (applicant provided debt, including rent or mortgage payments, and credit bureau derived payments), would not exceed the product specified parameters (line assignment tables) up to the designated controlling debt burden table parameter such as 45%." Examiner has added the underlining for emphasis.

Appellant asserts that Walker does not disclose a "single pass". The examiner

does not concur. There is a lot of prosecution history concerning this phrase.

Appellant's definition of a "single pass" is "A 'single pass' indicates that, in the

evaluation of a customer, the required customer and account data is retrieved and

loaded once, prior to doing the customer evaluation." See page 10 of applicant's paper

9, dated 9/18/02. The Hoover reference meets this limitation.

Page 12, appellant asserts that steps 2092 and 2094 require the retrieval of more data. The examiner does not concur. First, looking at figure 42, the whole process of figure 43 can be bypassed at step 2084, which allows Walker to meet the metes and bounds of the claim limitations. Second, a scoring decision could have been already accomplished by that stage in the process and therefore also meet the claim language as broadly recited.

Appellant asserts that Walker does not suggest that a decision is produced for each account of the customer. The examiner does not concur. The "respective decision" is the "decision" is the chosen strategy in the "wherein said evaluating determines which strategy" step. The claimed "strategies" are the difference processes of extracting data from different structured accounts. Walker shows this "decision" by applying different processes to extract the desired information from different types of accounts.

Page 13, appellant asserts that Walker does not use an iterative function. The examiner does not concur. Walker Maximum Debt Burden Offer system repetitively or iteratively goes through a process or function for each account of the customer. For each account, a process is chosen or decided upon to extract the customer's monthly debt payment for that account. This meets the metes and bounds of the claim limitations.

Appellant asserts that the use of tables is significantly different than the use of an iterative function of the claimed invention. This is not relevant because there are no claim limitations to distinguish the "significant differences".

Page 14, Appellant asserts that Walker does not use an "iterative matrix" or a calling of another iterative function. The examiner does not concur. Walker discloses a series of tables or matrices (ACAPS 26) containing price points (column 9, line 66), which work in conjunction with the Maximum Debt Burden Offer system (see top of column 8, including the table). This relation meets both the "iterative matrix" and calling of another iterative function requirements.

Appellant has not argued any aspects (i.e. motivation to combine) of the 103 rejection not being proper. The examiner is assuming that appellant concurs with the examiner in that the combination is proper.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Michael Cuff

Conferees:

Alexander Kalinowski

Hyung Sough